

ROLL CALL

Present: Council Members - Davenport, Mann, Sieglock, Snider, and Pennino (Mayor)

Absent: Council Members - None

Also Present: City Manager Peterson, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney McNatt, and City Clerk Perrin

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was led by Mayor Pennino.

PRESENTATION OF HIV/AIDS VIDEO BY
THE LODI POLICE DEPARTMENT

Council Member Davenport commended staff for the production of the video and questioned the cost. Mr. Davenport further suggested that the Library be given a copy of the video for the public to view.

Further, the following Consent Calendar items were removed by Council Member Davenport and discussed and acted upon at the end of the agenda:

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- "Town Hall" Meeting), and (c) January 20, 1993 (Regular Meeting)";
- b) Agenda item #F-3 entitled, "Specifications and advertisement for bids for high pressure sodium luminaires";
 - c) Agenda item #F-4 entitled, "Specifications and advertisement for bids for two mid-size paratransit buses for Dial-A-Ride";
 - d) Agenda item #F-5 entitled, "Approve reclassification of one Administrative Clerk II position to an Administrative Clerk III position in the Parks and Recreation Department";
 - e) Agenda item #F-6 entitled, "Approve contract for Employee Assistance Program";
 - f) Agenda item #F-7 entitled, "Authorization to initiate negotiations for the acquisition of property for a future electric substation";
 - g) Agenda item #F-16 entitled, "Set public hearing for March 17, 1993 to consider refuse rate adjustments";
 - h) Agenda item #F-17 entitled, "Set public hearing for April 7, 1993 to consider implementation of planning fee schedule"; and
 - i) Agenda item #F-18 entitled, "Authorize an additional \$10,000 to retain the firm of Dufour & Associates for dibromochloropropane (DBCP)".

CLAIMS CC-21(a) Claims were approved in the amount of \$3,084,138.71.

AGENDA ITEMS REMOVED FROM
THE CONSENT CALENDAR

Agenda item #F-2 entitled, "Minutes - (a) January 12, 1993 (Special "Town Hall" Meeting), (b) January 13, 1993 (Special "Town Hall" Meeting) and (c) January 20, 1993 (Regular Meeting)" was removed from the Consent Calendar and discussed and acted upon at the end of the agenda.

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was removed from the Consent Calendar and discussed and acted upon at the end of the agenda.

Agenda item #F-4 entitled, "Specifications and advertisement for bids for two mid-size paratransit buses for Dial-A-Ride" was removed from the Consent Calendar and discussed and acted upon at the end of the agenda.

Agenda item #F-5 entitled, "Approve reclassification of one Administrative Clerk II position to an Administrative Clerk III position in the Parks and Recreation Department" was removed from the Consent Calendar and discussed and acted upon at the end of the agenda.

Agenda item #F-6 entitled, "Approve contract for Employee Assistance Program" was removed from the Consent Calendar and discussed and acted upon at the end of the agenda.

Agenda item #F-7 entitled, "Authorization to initiate negotiations for the acquisition of property for a future electric substation" was removed from the Consent Calendar and discussed and acted upon at the end of the agenda.

FINAL MAP AND IMPROVEMENT AGREEMENT FOR
TOWNE RANCH, UNIT NO. 1, TRACT NO. 2050
APPROVED

CC-46
CC-90

The City Council approved the final map for Towne Ranch, Unit No. 1, Tract No. 2050, directed the City Manager and City Clerk to execute the Improvement Agreement and map on behalf of the City and appropriated money from Development Impact Fees to cover credits for sanitary sewer and storm drain improvements in this subdivision.

Towne Ranch Associates, the developer of this subdivision, has furnished the City with the improvement plans, necessary agreements, guarantees, insurance certificates, and fees for the proposed subdivision.

The subdivision is located west of Lower Sacramento Road and north of the existing Park West subdivision, and contains a total of fifty-four single-family residential lots and one lot (Lot 55) which is to be resubdivided at a later date.

It is necessary to appropriate \$770.88 for the oversize sanitary sewer main in Evergreen Drive and \$37,963.20 for storm drain system installed by the developer and given as credits on the billing schedule for this subdivision.

In addition, as a part of this project, the developer is providing a right-turn only median on Tejon Street on the west side of the intersection with Lower Sacramento Road. In order to prevent through traffic across Lower Sacramento

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Road on Tejon Street, the City will be constructing a similar median on the east side of the intersection.

For future reference, the developers of this subdivision have proposed a publicly-owned and maintained masonry fence along the east side of Lot 1 which fronts Lower Sacramento Road. They plan to continue this fence along future units to the north which will require reverse frontage fencing. The proposed design does not conform to the reverse frontage fence design previously approved by the Planning Commission and, therefore, must be taken back to the Planning Commission for approval. Once the Planning Commission has decided the design issue, the item will be brought back to the City Council for determination of ownership and maintenance responsibilities (public or private).

IMPROVEMENT AGREEMENT ADDENDUM FOR CENTURY
MEADOWS THREE, UNIT NO. 1, TRACT NO. 2572,
AND FOR BANGS RANCH, UNIT NO. 1, TRACT
NO. 2560 APPROVED

CC-46
CC-90

The City Council approved the Improvement Agreement Addendum for Century Meadows Three, Unit No. 1, Tract No. 2572, and the Improvement Agreement Addendum for Bangs Ranch, Unit No. 1, Tract No. 2560, authorized the City Manager to execute the Agreements, and appropriated the necessary funds from the Street Development Impact Mitigation Fee Fund.

The City's new development ordinances, adopted as part of the Impact Fee Program, provide for reimbursement to developers for the costs of street improvements on arterial streets (Lodi Municipal Code Section 16.24.040). This reimbursement is to include right-of-way costs.

The subject subdivisions were the first to be affected by this provision and the right-of-way credit was omitted from the original Improvement Agreements between the City and the subdividers. Staff had prepared the Agreement addenda which had been signed by the subdividers.

The Bangs Ranch Addendum also includes the charge for accepting maintenance of the right-of-way fence along Century Boulevard and Stockton Street. This Agreement was approved by Council with the final approval of the project. In order not to delay the project pending that decision, the charge was not included in the original Agreement and is being included in this Addendum.

ACCEPTED IMPROVEMENTS UNDER WELL 3-R
DRILLING, 144 SOUTH ROSE STREET (SOUTHWEST
CORNER OF HUTCHINS STREET SQUARE) CONTRACT

CC-90 The City Council accepted the improvements under the "Well
CC-183(a) 3-R Drilling, 144 South Rose Street (Southwest Corner of
 Hutchins Street Square)" contract, and directed the Public
 Works Director to file a Notice of Completion with the
 County Recorder's office.

The contract was awarded to Maggiora Bros. Drilling, Inc.,
of Watsonville, on September 2, 1992, in the amount of
\$68,370.00. The contract has been completed in substantial
conformance with the plans and specifications approved by
the City Council.

The actual completion date was February 9, 1993. The final
contract price was \$80,972.50. The difference between the
contract amount and the final contract price is mainly due
to extra work required in developing the well.

PARTICIPATION IN SACRAMENTO COUNTY CONTRACT
FOR PURCHASE OF COMPUTER SUPPLIES APPROVED

RESOLUTION NO. 93-32

CC-90 The City Council adopted Resolution No. 93-32 authorizing
CC-300 the City of Lodi to purchase computer supplies under the
 terms of the contract between the County of Sacramento and
 its computer supplies contractor, Kalleen's Computer
 Products of San Rafael.

The supply contract between Sacramento County and Kalleen's
Computer Products is the result of competitive bidding
conducted by the County in June, 1992. The initial
contract period is scheduled to expire on July 19, 1993,
but may be extended for two additional twelve-month periods
at the County's option.

The contract provides discount pricing on frequently used
supplies such as printer ribbons, inkjet and laserjet
cartridges, tape backup cartridges, and diskettes. It also
provides discount pricing on component hardware such as
surge suppressors, cables and connectors, and anti-glare
screens, as well as computer furniture.

Under Lodi City Code Section 3.20.040 the City Council may
authorize participation in other agency purchase contracts,
provided the contract was bid in accordance with the
purchasing procedures established by Code Chapter 3.20.

While participation in this contract will not result in
significant additional savings to the City of Lodi (since
the City currently obtains near-contract pricing from

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Kalleen's on individual bids), participation is expected to result in the saving of administrative time otherwise required to bid all routine computer supplies purchases over \$100 (Lodi City Code Sections 3.20.070 and 3.20.110).

RESOLUTION APPROVING REIMBURSEMENT TO
REPRESENTATIVES OF THE CAPITOL VALLEY REGIONAL
SERVICE AUTHORITY FOR EXPRESSWAYS (SAFE) FROM
SAFE ACCOUNTS APPROVED

RESOLUTION NO. 93-33

CC-6
CC-300

The City Council adopted Resolution No. 93-33 approving reimbursement to San Joaquin County representatives of the Capitol Valley Regional Service Authority for Freeways and Expressways (SAFE) for quarterly meetings.

The Capitol Valley Regional Service Authority for Freeways (SAFE) has been in operation for some time now. A board of directors, which now meets quarterly, was formed when the SAFE was initially established. The SAFE includes the members of the Board of Directors of the Sacramento Area Council of Governments (SACOG) and two members representing San Joaquin County and the cities within San Joaquin County; Supervisor Ed Simas and City of Manteca Mayor Frank Warren.

SAFE oversees the callbox project which is currently underway for San Joaquin, Sacramento, Yolo, and Yuba Counties. Requests for Proposals for the callboxes were approved by SAFE last week and they anticipate awarding the contract to a vendor within three months. It is hoped that the callboxes will be installed in approximately 15 months.

Representatives serving on the Board are eligible for compensation paid from SAFE accounts which are funded by a \$1 increase on vehicle registration fees. Fees have been collected since May, 1992. Compensation will not exceed \$100 for any one meeting.

NEW RADIO REPEATER SYSTEM FOR LODI POLICE DEPARTMENT
PURCHASED WITH ASSET SEIZURE FUNDS

CC-12(d)
CC-47

The City Council approved the purchase of a new Radio Repeater System and installation of three new telephone circuits for a total cost of \$30,133.11 for the Police Department.

Below is a memo from Captain Hansen to Police Chief Williams.

"As you are aware, City Council approved a special allocation from our Asset Seizure funds to purchase new weapons for the Lodi Police Department. Prior to making

the purchase of these weapons, supervisors and officers expressed concern over spending money on weapons rather than on a new radio repeater system. We conducted a survey and determined that the majority of our personnel felt the radio reception was so poor, it deserved to be a higher priority than the purchase of weapons.

Lieutenant David Main did the research with Motorola and submitted a proposal for a new Radio Repeater System. This system should greatly enhance the ability of our officers to communicate on their portables. Many officers feel strongly that this is an officer safety issue.

The three radio repeaters will be placed on towers located at Lodi Fire Station #2 (705 East Lodi Avenue), Lodi Fire Station #3 (2141 South Ham Lane) and Woodbridge Fire Station on Augusta Street.

The cost of this system is \$27,985.11 for the equipment and \$2,148.00 for the three telephone circuits. In addition, there will be a monthly charge of \$137.04 for the 2001 Voice Grade two-wire telephone lines. The total cost out of Asset Seizure funds for equipment and installation of telephone circuits is \$30,133.11."

PUBLIC HEARING SET FOR APRIL 7, 1993
TO CONSIDER 1993/94 COMMUNITY DEVELOPMENT
BLOCK GRANT (CDBG) ALLOCATION

CC-6
CC-55

The City Council set a public hearing to solicit public comments and project ideas and to consider multi-jurisdictional proposals.

The City will receive approximately \$500,000 from the Federal government under the Community Development Block Grant Program (CDBG) for the 1993-94 Program Year. This program has been ongoing since 1986 when the City received its first allocation. To be eligible for funding, projects must meet one of three national objectives:

- ° To address the needs of low and moderate income persons
- ° To eliminate a slum or blighted condition
- ° To resolve an urgent need

Following is a memo regarding the matter from Eric Veerkamp.

"The City is due to receive approximately \$500,000 under the Community Development Block Grant (CDBG) Program for the 1993-94 year. Such funds would generally be available on July 1st. Several chosen projects will be funded along with the ongoing funding of administration activities, fair

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housing activities*, Dial-A-Ride, code enforcement*, and housing rehabilitation.

The City has been participating in Federal programs since 1986 as an agreement City with San Joaquin County. The reason for designating ourselves an agreement City along with the other "small" cities in the County, as opposed to a "stand alone" entitlement City, is that we are eligible for a larger funding amount.

A public hearing is required by HUD to allow citizens the opportunity to express their concerns about where the money is spent. If no one in the community requests funding for a project or projects, the City will have to decide on a use for the money that meets HUD's minimum requirements.

In order to be eligible for funding, a project/program must meet one of HUD's three national objectives:

1. To address the needs of low and moderate income persons.
2. To eliminate a slum or blighted condition.
3. To resolve an urgent need.

Under these three general headings, there are a host of eligible types of projects, some of which are:

1. Public improvements and services
2. Renewal and rehabilitation projects
3. Housing rehabilitation
4. Economic development
5. Social services activities

In the past, the City has emphasized construction or reconstruction projects. A partial list of the projects the City has completed or will complete using CDBG funds are as follows:

1. Complete renovation and reconstruction of Hale Park
2. Construction of walled patio with planters at Hutchins Street Square
3. Rehabilitation of structure on Sacramento Street into homeless shelter

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Continued March 3, 1993

4. Rehabilitation of some 20 single-family homes primarily in the east side.
5. Handicap retrofit of restroom at Blakely Park
6. Handicap retrofit of Lodi Lake Beach restroom
7. Replacement of water well 10R
8. Renovation and construction of Blakely Park pool.
9. Handicap retrofit of restroom at Armory Park"

PUBLIC HEARING SET FOR APRIL 7, 1993 TO
CONSIDER ADOPTION OF UNIFORM FIRE CODE

CC-6 The City Council set a public hearing for Wednesday, April
7, 1993 to consider adopting the 1991 Uniform Fire Code.

AGENDA ITEMS REMOVED FROM THE CONSENT CALENDAR

Agenda item #F-16 entitled, "Set Public Hearing for March 17, 1993 to consider refuse rate adjustments" was removed from the Consent Calendar and discussed and acted upon at the end of the agenda.

Agenda item #F-17 entitled, "Set Public Hearing for April 7, 1993 to consider implementation of planning fee schedule" was removed from the Consent Calendar and discussed and acted upon at the end of the agenda.

Agenda item #F-18 entitled, "Authorize an additional \$10,000 to retain the firm of Dufour & Associates for dibromochloropropane (DBCP)" was removed from the Consent Calendar and discussed and acted upon at the end of the agenda.

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COMMENTS BY CITY

COUNCIL MEMBERS The following comments were received under the "Comments by
City Council Members" segment of the agenda:

REPORT READ BY COUNCIL MEMBER REGARDING
A NUMBER OF CONCERNS

CC-6 Council Member Davenport read a report regarding the
CC-16 following matters: (1) any member of the public with
concerns or questions were invited to contact him; (2)
responded to article in the Stockton Record and stated he
wants to be given a chance and to work with staff
constructively; (3) suggested that Police Officers who are
on duty, record and notify the proper authorities of street

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lights that are out; (4) stated he would like to attend future bid openings to see the procedure; (5) stated he does not want to approve anything with a blank check; (6) commented that approximately 33 applications have been received for the Police Chief position and that he would like the opportunity to see them; (7) informed the public that, if approved, a public hearing would be held in April regarding refuse rate increase; and (8) commented on a letter he received from Stan Mall, United Firefighters of Lodi (UFL) which suggested that a Police Chief not be hired, but that the City create a Public Safety Director position instead.

SUGGESTION REGARDING PREPARATION OF MINUTES

CC-1(b) Council Member Sieglock commented on a recent memo the City Council received from the City Clerk regarding preparation of short minutes versus long minutes and stated he would like to see a future discussion on this matter.

INVITATION TO STATE-ELECTED OFFICIALS

CC-6 Council Member Sieglock suggested that the Council consider inviting State-elected officials to speak before the Council regarding the state of affairs, budget, etc. Mr. Sieglock stated that Assemblyman Larry Bowler is interested in this idea and would be willing to participate.

REQUEST FOR DIRECTION ON SEVERAL MATTERS BROUGHT UP BY COUNCIL MEMBER DAVENPORT

CC-6 Mayor Pennino presented a memo shown below from Council
CC-16 Member Davenport wherein he requested several items from the City Manager and asked for direction regarding some of the requests:

"Please provide me with:

1. Applications for the Police Chief position.
2. Itemized cost to City for the City Manager convention in Monterey you attended Feb. 10, 11, 12, 1993.
3. A log of your meetings and activities for January and February regarding City business.
4. Cost to the City for Jack Ronsko to attend a retirement function in Ventura, CA on February 22, 1993 (itemized please).
5. Copies of grievances filed by employees in each department over past five years concerning City employment (Note: this

request is not for protected personal employee information).

6. List of all claims filed against the City in past five years; name and address and nature of the claim.
7. Materials Data Sheet on garbage cans used in City limits and underwriters lab report and State Fire Marshal standards.
8. Current 'contracts' and offers for Department Heads, City Attorney, City Clerk and City Manager.
9. Procedure, if any, in regard for the City Manager, City Attorney and City Clerk to take time off (ie. VL, HL, AL and to report sick leave, etc.).

Your cooperation is appreciated."

The Council's response to these requests were as follows:

1. Copies of applications for the Police Chief position. The City Council saw no problem with Council Members viewing the applications; however, they are to remain confidential and should only be viewed at City Hall.
2. Itemized cost to City for the City Manager's conference held in Monterey. This material was previously provided to Mr. Davenport.
3. Copy of City Manager's log of meetings and activities regarding City business. The City Council took no action on this matter.
4. Cost to City for Public Works Director to attend retirement dinner in Ventura on behalf of American Public Works Association (APWA). This information was previously provided to Mr. Davenport.
5. Copies of grievances filed by employees by Department for the last five years. The City Council saw no problem with providing the number of grievances by Department and the general nature of them.
6. List of verified claims filed against the City for the past five years. The City Council took no action regarding this matter.

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7. Request for Materials Safety Data Sheet (MSDS) and State Fire Marshal's standards on the new garbage cans. The Fire Chief was directed to provide Mr. Davenport with any information he may have regarding this matter.
8. Copies of employee contracts for the City Manager, City Attorney and City Clerk. This information was previously provided to Mr. Davenport.
9. Procedure for the City Manager, City Attorney and City Clerk for taking time off. The City Council took no action regarding this matter.

RESPONSE BY COUNCIL MEMBER DAVENPORT

Council Member Davenport stated it was not his idea to bring these items up at a City Council meeting. He felt that if any other Council Member had requested items such as these, it would not have been brought up at a City Council meeting. He was just trying to follow procedure.

COMMENTS BY THE PUBLIC ON NON- AGENDA ITEMS

The following comments were received under the "Comments by the public on non-agenda items" segment of the agenda:

THANKS GIVEN TO CITY COUNCIL FOR RETURNING REPRODUCTION COSTS

CC-6 Frank Alegre, 2000 Edgewood Drive, Lodi, thanked the City
CC-56 Council and staff for returning money that he was charged
for recent reproduction of documents.

CONCERNS REGARDING HALE PARK

CC-16 Tony Canton, 1029 South Church Street, Lodi, asked about
CC-27(c) the delays in completing Hale Park. The Council directed
the Public Works Director to meet with Mr. Canton to
explain the reasons for the delays.

Frank Alegre commented that the delays in completing Hale Park were due to the weather, which cannot always be helped.

INTRODUCTION OF NEW LODI BUSINESS

Fred McClaine, 1435 Academy Street, Lodi, introduced new non-profit business called Give and Take designed to assist businesses in collecting charitable contributions to be given to an organization of its choice. Mr. McClaine gave

the public the phone number if anyone was interested (800) 998-7911 or 369-2259.

EASTSIDE IMPROVEMENT COMMITTEE MEETINGS
ANNOUNCED

CC-2(s) Virginia Lahr, 311 East Elm Street, Lodi, invited the public to attend the next Eastside Improvement Committee meeting to be held on March 11, 1993 at 6:30 p.m. at the Loel Center. The Committee plans to meet the 2nd Thursday of every month.

CALIFORNIA WASTE INVITES PUBLIC TO
ATTEND WORKSHOPS

CC-22(b) Bill Ferrero, 2446 Porter Way, Lodi, representing California Waste Removal Systems, invited the public to attend its recycling workshop to be held on March 6, 1993 at 1333 East Turner Road between 9:00 a.m. - 12:00 noon.

Further, Mr. Ferrero informed the public that April 12 - 16, 1993 will be City-wide Cleanup Week.

Mayor Pennino congratulated California Waste Removal Systems on the recent award it received.

Council Member Davenport suggested that California Waste print on the garbage bills the amount of recyclables it resold.

COMPLAINT REGARDING REFUSE SYSTEM

CC-54 Roy Gault, 303 East Oak Street, Lodi, commented that the new garbage cans are not large enough, it spills garbage, and it presents a health problem. He would also like to see something done to assist those that cannot wheel out their garbage. It was directed that Mr. Gault meet with Mr. Kirk Evans, Administrative Assistant to the City Manager, to look into applying for backyard service.

SUPPORT FOR CITY MANAGER AND STAFF

CC-6 Mr. Jerald Kirsten, 1726 Windjammer Court, Lodi commented on the recent affairs of the City. Mr. Kirsten, a former Mayor and Council Member, stated he is very proud of this City and its staff, including former Council Members, Managers, City Clerks and Department Heads. Lodi has an honest, effective government. Mr. Kirsten is concerned about Council Member Davenport's behavior, because he is not performing the services for which he was elected, he does not understand the form of government and he used this office as a platform for his personal vendetta. He feels the hiring of the Police Chief should not be politicized. Mr. Kirsten urged Council Member Davenport to change his

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behavior or resign from his seat and save himself the disgrace of being recalled.

RECESS The Mayor called a ten-minute recess and the meeting reconvened at approximately 9:16 p.m.

PUBLIC HEARINGS

PUBLIC HEARING REGARDING REPORT AND
PROPOSED ORDINANCE ON TRUCK PARKING AND
TRAVEL ON CITY STREETS

ORDINANCE NO. 1567

CC-48(a) Notice thereof having been published according to law, an
CC-50(a) affidavit of which publication is on file in the office of
CC-149 the City Clerk, Mayor Pennino called for the Public Hearing
to consider report and proposed ordinance on truck parking
and travel on City streets.

Paula Fernandez, Associate Traffic Engineer, presented the following report.

At the February 3, 1993 meeting, City Council set a public hearing to review the report and proposed ordinance on truck parking and travel on City streets based on the report prepared by Public Works staff regarding truck parking and travel on City streets. The report includes complaints and problem areas received through the City's complaint system regarding truck parking and truck travel, the existing regulations and restricted locations, past discussions and Council action on truck issues. This report is summarized below:

Report Summary

Staff has prepared three Alternatives addressing truck parking and travel issues. Alternative 1 is to modify the existing truck parking ordinance by changing the definition of "residential district" as defined in the LMC Section 10.52.050. Under this Alternative, truck parking would be prohibited adjacent to non-residentially zoned areas located on two-lane roadways if a "residential district" exists across the street, unless it has reverse frontage. Alternative 2 is to consider repealing the existing truck parking ordinance and establishing a "truck route" system, thereby allowing truck parking only along those routes. Alternative 3 is to leave the existing truck parking ordinance as is and install no-parking zones as truck parking problems are reported. A summary of the advantages and disadvantages of these Alternatives was presented to the City Council.

After reviewing the Alternatives and comments received regarding this matter, staff recommended that the City Council approve Alternative 1 since it satisfies the City's intent to prohibit truck parking near residences while providing considerably more available truck parking than Alternative 2. Also, the amount of additional restricted area will not severely affect the total amount of City-wide truck parking currently available. Staff has no major objections to Alternative 2 since it can be used to regulate truck travel as well as truck parking and can be written to eliminate truck parking in residential areas, similar to the existing truck parking ordinance. Staff's major concern is the reduction in available truck parking and that truck parking would not be permitted in commercial and industrial areas not on a truck route. Staff does not recommend Alternative 3 due to its ineffectiveness in controlling truck parking and the cost to evaluate, install and maintain no-parking zones. Also, an excessive amount of passenger vehicle parking would have to be eliminated in order to keep trucks from parking in undesirable areas.

Recommendation

Based on the findings of this Report, staff recommended that Council approve Alternative 1 (modifying the existing truck parking ordinance). If Council approves Alternative 2, staff would need to prepare an ordinance to be introduced at a future date. If Council chooses Alternative 3, no action is required at this time. Staff will prepare a list of locations where "no-parking" zones have been requested and return to Council at a future date.

Whether or not Council chooses to act on the truck parking issue, staff recommended that Council approve Item 2 of LMC Section 10.52.050 (parking restrictions) and Items 1 and 2 of LMC Section 10.52.010 (vehicle restrictions on City streets) since these Sections are needed for enforcement purposes.

Staff requested that the City Council introduce the appropriate ordinance modifying the following Lodi Municipal Code (LMC) Sections based on the "Report on Truck Parking and Travel on City Streets" which was presented to the City Council:

° LMC Section 10.52.050, Parking Restrictions

1. Change the definition of "residential district", for the purpose of this Section, to state that if each side of the street is zoned differently, the more restrictive zone would apply to both sides of the street (Alternative 1).

2. Change the wording "maximum gross weight of five tons" to "maximum gross vehicle weight rating of 10,000 pounds" to conform with the California Vehicle Code.
- ° LMC Section 10.52.010, Vehicle Travel Restrictions on City Streets
 1. Change the wording in order to make it clear that it is legal to regulate vehicle travel based on the number of axles, as provided in the California Vehicle Code.
 2. Change the existing restrictions on the streets shown below due to the ease in police enforcement provided by commercial vehicle travel restrictions based on vehicle axles:
 - ° Holly Drive (all) - change from "commercial vehicles and vehicles over 3 tons prohibited" to "commercial vehicles over 2 axles prohibited".
 - ° Tokay Street (from Stockton Street to Cherokee Lane) - change from "commercial vehicles and vehicles over 5 tons prohibited" to "commercial vehicles over 2 axles prohibited".

Mayor Pennino then opened the hearing to the public. Speaking on the matter were the following persons:

- a) John Mattos, 944 South Stockton Street, Lodi;
- b) Eileen Denney, 1819 South Cherokee Lane, Lodi;
- c) Del Smith, 2505 West Turner Road, Wine and Rose Country Inn, Lodi;
- d) Katie Holstead, 1651 South Cherokee Lane, Lodi;
- e) Jerry Jones, Arbor Convalescent Hospital, Lodi;
- f) Gary Lund, P.O. Box 22, Lodi; and
- g) Frank Alegre, 2000 Edgewood Drive, Lodi;

Mayor Pennino also read a concern received from Ms. Lu Benson who could not attend the meeting. There being no one else wishing to speak on the matter, the Mayor closed the public hearing.

Following a lengthy discussion on the matter, Council Member Mann made a motion to table the matter. The motion died for lack of a second.

The City Council, on motion of Council Member Davenport, Snider second, approved Alternate 3 with direction given to the Public Works Director to meet with the City Attorney to discuss possible signage regarding limiting the hours that trucks can run engines/refrigeration units and to bring this matter back to the City Council by the following vote:

Ayes: Council Members - Davenport, Sieglock and Pennino
(Mayor)

Noes: Council Members - Mann and Snider

Absent: Council Members - None

Further, on motion of Council Member Snider, Sieglock second, the City Council approved amending the wording in Lodi Municipal Code Section 10.52.050 to conform with the California Vehicle Code as it relates to "maximum gross vehicle weight rating of 10,000 lbs." by the following vote:

Ayes: Council Members - Mann, Sieglock, Snider and
Pennino (Mayor)

Noes: Council Members - Davenport

Absent: Council Members - None

Additionally, the City Council, on motion of Council Member Snider, Sieglock second, deleted the following paragraph from Lodi Municipal Section 10.52.050 that was adopted above:

"Also, for the purposes of this section where the district boundary lies in the center of the street, the 'residential district' includes both sides of the street except on State Highways, streets with four or more through lanes or where the residential side has an approved 6 foot high fence located in the back of the sidewalk. (Vehicle Code, 22507.5)."

by the following vote:

Ayes: Council Members - Mann, Sieglock, Snider and
Pennino (Mayor)

Noes: Council Members - Davenport

Absent: Council Members - None

Further, the City Council, on motion of Council Member Sieglock, Mann second, unanimously approved amending Lodi Municipal Code Section 10.52.010 to make it clear that it is legal to regulate vehicle travel based on number of axles as provided in the California Vehicle Code.

And, on motion of Council Member Davenport, Snider second, the City Council unanimously amended the traffic resolution by changing the existing weight restrictions to an axle restriction on Holly Drive and Tokay Street (Stockton Street to Cherokee Lane) for enforcement purposes.

PLANNING COMMISSION City Manager Peterson presented the following Planning
REPORT Commission Report of the Planning Commission Meeting of
February 22, 1993.

CC-35 The Planning Commission -

a. Recommended that the City Council adopt the Cost Recovery Program for Planning, Building Inspection and Code Enforcement with the following modifications:

1. that under Code Enforcement the fee for the Second Compliance Inspection be \$100.00 and the fee for the Third Compliance Inspection be \$300.00;
2. that fees in excess of \$500.00 go into effect over a two-year period;
3. that the City Attorney prepare an amendment to the Zoning Restrictions providing for an Administrative Variance and that the fee for this activity be less than a normal Zoning Variance; and
4. that the City Council consider changing actual costs when project review exceeds fee charges by two times.

(Community Development Director Schroeder informed the City Council that this matter appeared on the Consent Calendar to be set for public hearing.)

ITEMS OF INTEREST ONLY

b. Set the following requests of Chris R. Keszler and Fred Baker for Public Hearing at 7:30 p.m., Monday, March 8, 1993:

1. For a General Plan Amendment to redesignate a portion of the parcel at 451 East Turner Road (APN 015-230-28) from PR, Planned

Residential to NCC, Neighborhood/Community Commercial;

2. to prezone a portion of the parcel at 451 East Turner Road (APN 015-230-28) C-S, Commercial Shopping; and
3. to certify the filing of a Negative Declaration by the Community Development Director as adequate environmental documentation on the above projects.

COMMUNICATIONS
(CITY CLERK)

CLAIMS CC-4(c) On recommendation of the City Attorney and the City's contract administrator, Insurance Consulting Associates, Inc. (ICA), the City Council, on motion of Council Member Sieglock, Snider second, denied the following claims and referred them back to ICA:

- a) Angel Alcantara (a minor), Date of loss 7/30/92; and
- b) Ruth Pratt, Date of loss 1/16/93.

ITEM REMOVED FROM THE AGENDA

Agenda item #K-2(a) entitled, "Complaint received from Mr. Joe Murphy, 1817 Amber Leaf Way, Lodi regarding utility billing" was pulled from the agenda per Mr. Murphy's request.

REGULAR CALENDAR

GANG TASK FORCE BYLAWS APPROVED

CC-2(q) Sergeant Richard Dean presented the bylaws of the City of Lodi Gang Task Force as shown below.

BYLAWS OF LODI COMMUNITY GANG TASK FORCE

ARTICLE I NAME

Section 1. Name

The name of the organization is the Lodi Community Gang Task Force. The Task Force shall operate under the auspices of the Lodi City Council.

ARTICLE II PURPOSE AND LIMITATIONS

Section 1. General Purposes

The Task Force is organized for the purpose of providing a forum to focus the community's effort at education,

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prevention and intervention of gangs and gang-related activities within the City of Lodi and the Northern San Joaquin County.

Section 2. Specific Purpose

The specific purpose of the organization is outlined as follows:

- a) To provide a forum for public input on the community gang problem and its possible solutions.
- b) To facilitate public education on the identification, existence, causes and remedies for gangs in the community.
- c) To solicit funding and support those agencies providing outreach programs, consistent with the goals of the organization.
- d) To develop, monitor and/or facilitate programs directed at long-term interdiction and elimination of gangs within the community.

ARTICLE III MEMBERSHIP

Section 1. General Membership

General membership in this Task Force shall be open to all individuals, families, organizations and clubs in sympathy with its purposes.

Section 2. Board of Directors

The Lodi Community Gang Task Force shall be governed by composed of Twenty (20) voting directors consisting of (2) from Lodi Police Department, (3) Lodi Unified School District, (1) from Parks and Recreation, (1) from Lodi District Chamber of Commerce, (1) from Mexican/American Lions Club International, (1) from a clergy position, (2) student representatives, (1) a local ex-gang member, (5) citizen positions, (1) from the City Council, (1) from San Joaquin County Sheriff Department, and (1) from San Joaquin County Probation Department.

Citizen positions to the Board of Directors shall be filled by appointment by the Mayor of the City of Lodi, with the concurrence of the City Council.

Members of the Board of Directors shall serve until they:

- a) resign
- b) are removed by their agency

- c) are removed by majority vote of the Board of Directors
- d) are removed by majority vote of the City Council

Members of the Board of Directors who represent government agencies are appointed by their agency head and are not eligible for election to the executive board.

ARTICLE IV EXECUTIVE OFFICERS

Section 1. Executive Officers

The officers of the Executive Officers shall consist of the Chairperson, Vice-Chairperson, Treasurer, Secretary, and Past Chairperson.

Section 2. Chairperson

The Chairperson shall preside over all meetings of the Board of Directors and perform any other incidental services as identified by the Board.

The Chairperson shall act as spokesman in all communications.

The Chairperson shall appoint a representative of the Executive Board as a representative to the San Joaquin Prevention Partnership Organization.

Section 3. Vice-Chairperson

The Vice-Chairperson shall perform the duties of the Chairperson and exercise the responsibilities of the Chair in the absence of the Chairperson.

Section 4. Secretary

The Secretary shall have custody of and maintain all of the records; shall record the minutes of all meetings and shall send notices out of all meetings and perform other duties as established by the Board.

Section 5. Treasurer

The Treasurer shall maintain records of all revenues produced and expended by the Task Force and provide a Treasurers Report at regular meetings.

Section 6. Past Chairperson

The Past Chairperson shall act as an advisor to the Chairperson using their experience to insure continuity of leadership.

ARTICLE V OFFICE PROCEDURES

Section 1. Terms of Executive Officers

The term shall be for one year, and no person shall serve for more than two consecutive one-year terms in the same office.

Section 2. Annual Election

An annual election will be held in January at a regular Board of Directors meeting.

Elected officers will assume their position at the beginning of the February Board of Director's meeting.

Section 3. City Council

Executive Officers of the Lodi Community Gang Task Force shall represent the Task Force in an advisory capacity to the Lodi City Council.

Section 4. Revenues

All Lodi Community Gang Task Force revenues shall be administered through a Trust Fund Account established by the City of Lodi. All revenues raised by or donated to the Task Force will be deposited into the Trust Fund Account. The expenditure of funds will be authorized by a majority vote of the Task Force's five Executive Officers, subject to overview of the Lodi City Council.

Section 5. Auditing

The Trust Fund Account shall be audited as a part of the City of Lodi's regular annual audit.

Section 6. Term of Existence

The Lodi Community Gang Task Force shall continue permanently or until dissolved by a vote of the Board of Directors, or a vote of the City Council.

In case of dissolution, all money and property of the Lodi Community Gang Task Force shall remain or become the property of the City of Lodi.

Section 7. Attendance

Directors who miss three or more consecutive meetings shall be removed by the Board of Directors.

Section 8. Removal

When in the interest of the Board a Director may be removed by a vote of the Board of Directors, with or without cause.

Section 9. Quorum and Voting

A majority (11) of the voting directors shall constitute a quorum at any meeting of the Directors. If a quorum is present, the affirmative vote of the majority of the

Directors present shall be the act of the Directors. Each Director shall be entitled to one vote, and must vote in person and not by proxy.

Section 10. Monthly Meetings

The Board shall meet once a month on the second Monday of each month. An emergency meeting may be called when requested at least 24 hours in advance in writing by a majority of directors or when called by the Chairperson. All meetings shall be subject to the provisions of the Ralph M. Brown Act (Government Code Section 54950 et. seq.)

Section 11. Place of Meeting

A meeting of the Directors shall be held at a place designated by the Directors, and open to the public.

Section 12. Notice of Meeting

A written notice of meetings shall identify the time and place, and the content of said meeting shall be provided to the Directors no later than seven (7) days before the established meeting date.

A written notice for emergency meetings shall be received no later than 24 hours before the called meeting.

Types of meetings: Regular Board Meeting
General Membership Meeting
Emergency Called Meeting

At least one general membership meeting shall be held in March each year. Written notice to the membership and an invitation to the general public will be published in the newspaper.

Section 13. Communication

All external communication to the media shall occur through the Chairperson, or, in the absence of the Chairperson, through the Vice-Chairperson.

Section 14. Amendments

These bylaws may be amended or revised by a majority vote of the Board of Directors at a meeting which has been previously announced for that purpose, subject to ratification by the City Council.

Section 15. Parliamentary Procedure

All meetings shall be conducted according to Roberts' Rules of Order, latest revision, or when suspended by a majority vote of the members present and voting.

Following a brief discussion, the City Council, on motion of Council Member Mann, Sieglock second, unanimously approved the Gang Task Force bylaws as presented and appointed Mayor Pro Tempore Sieglock to the Task Force.

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FUNDING APPROVED FOR "NEW DIRECTIONS"
DRUG PROGRAM

CC-6
CC-104

The City had received a request from "New Directions," a semiprivate corporation which has established a residential drug treatment facility, for assistance in the funding of this facility. A packet of information assembled by the organization was presented to the City Council.

Dale Benner, Executive Director of the program, and Judge Rolleen McIlwrath, Stockton Municipal Court and member of the program, were in attendance and presented a report to the City Council regarding the program.

"THE PROBLEM"

Research shows that 90% of the people who go through the Municipal courts of California have a drug or alcohol problem. Specialists in jail population estimate that sixty-five - eighty percent of the people housed in county jails can be housed in what is called, "direct supervision". In San Joaquin County that means one unit of 64 inmates with one deputy supervising. There are no locked doors on the cells and the inmates are free to, within the rules and regulations, leave and enter the cells at their discretion twenty four hours a day. Like every other jail in the State of California the new jail will be overcrowded the day it opens.

The Goal

Build a residential treatment and educational facility adjacent to the San Joaquin County jail at 10% of the cost of the recently completed new jail, staff it at 15% of the total annual operating cost of the new jail and house 576 residents compared to 512 inmates at the new jail. I.E. free up the jail space for hard-core criminals and cost effectively rehabilitate the "soft-core" addict.

THE FACTS:

<u>Jail</u>	<u>Private Education/Treatment</u>
°Visitation permitted	°No visitation
°No DRUG Testing	°Mandatory DRUG Testing
°Education/vocational training .Voluntary participation	°Education/vocational training .Mandatory participation
°Recreation - Voluntary . 'Pumping iron'	°Recreation - Mandatory .Physical fitness activities

°Counseling .Very limited	°Counseling .Mandatory weekly individual/group
°Work - Voluntary and only in public areas	°Work - Mandatory plus can serve private sector
°No welfare or city program funding	°City, county or welfare funding can be received
°Cost estimates .\$33,000,000 to build .\$22,000,000 annual operating budget .512 capacity	°Cost estimates .\$3,000,000 to build .\$3,000,000 annual operating budget .576 capacity

Compare the two methods of dealing with this problem.
Which do you believe has more chance of long term success?

THE STRATEGY

Our strategy will 'actualize' the work performed by the Vision 2000 Human Resources Task Force headed by Stockton Record Publisher Orage Quarles. Through the credibility of the Vision 2000 strategic planning process and the eight years of practical experience of the Weingart Center we will focus on a more cost effective human services delivery system.

The Weingart Center is a nationally recognized model of non-profit management and homeless service effectiveness. The Weingart Center's entrepreneurial approach to service delivery saves taxpayers more than \$3.0 million a year in jail and hospital services. Its funding sources are contracts (86%) and gifts/grants (\$14%).

Our strategy is to remodel the existing women's jail as Phase I of the plan. The facility is available December 10, 1992 and could be remodeled and opened by February 1 - 15, 1993.

Through the sentencing process of the courts, this plan will transfer one hundred (and then up to 576) current downtown Stockton "residents" out of the downtown core area to the location at the Matthews Road jail facility. The population transfer will impact the downtown crime level in a positive manner. The business community by aggressively supporting this population transfer will enable the Stockton City Council to politically support the plan. The transfer approach will, we believe, also receive the enthusiastic support of the Stockton Police Department. Additional contacts will also be made with Senator Pat Johnston and Assemblyman Dean Andal regarding political support and potential funding programs.

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This plan also enables the Downtown Revitalization Committee to more effectively market the investment potential of the downtown core area.

The coalition of support (police, City Council, media, business community, elected officials, local and state level, non-profit groups) will, we believe, convince the Board of Supervisors to authorize the transfer of land for the project and also reduce the turf issues that currently exist in the county relative to drug programs. Additional support for this action plan will also be aggressively solicited from various non-profit groups and other community organizations.

THE COSTS

Phase I

°"Start up" funding - \$100,000

A portion of these funds (\$50,000) will be used to develop and fund a detailed action plan for the next 3/5 months. This phase includes the hiring of Conklin Marketing to develop detailed marketing strategy and the hiring of The Johnson Group for operational development. The second segment of the \$100,00 initial funding will be designated to remodel the women's jail to house initial residents for \$50,000 from December 1, 1992 through February 1, 1993.

Phase II

°Acquisition of first year's annual budget \$600,000

Please note: \$429,000 (78%) of the funding sources for the first 12 months operating expenses have already been identified, i.e. monies from education paid by State of California through average daily attendance funding, placement of parolees funding by the Department of Corrections as well as funding from existing county program (ADAP) that could be transferred to the New Directions program.

Phase III

Construction of the larger 576 capacity residential treatment and educational facility. The costs of the larger Phase IV facility are presently being developed. Upon completion of this financial analysis a detailed financial proforma will be provided."

On motion of Council Member Mann, Snider second, the City Council authorized funding of \$2,500 to the "New Directions" drug program to come from the Contingent Fund by the following vote:

Ayes: Council Members - Davenport, Mann, Sieglock and Snider

Noes: Council Members - Pennino (Mayor)

Absent: Council Members - None

RECESS

The Mayor called for a ten-minute recess and the meeting reconvened at approximately 11:26 p.m.

PURCHASE OF CHLORINE GENERATOR FOR BLAKELY/ENZE
POOL APPROVED

CC-12(a) Parks and Recreation Director Williamson presented the following report.

Several chlorine incidents in the past have resulted from the malfunction of existing equipment at the Blakely/Enze Pool. The results have been over-chlorination of the pools prior to the swim events. Fortunately there were no injuries from the incidents. The Parks and Recreation Department has researched alternatives to chlorine gas for use at the Blakely/Enze Pool to reduce the risk of chlorine exposed to children, other users of the facilities, and neighboring residents.

The City Parks and Recreation Department annually submits to the County a Hazardous Materials Management Plan (HMMP) detailing chemical storage locations and inventory information. This information is required by Chapter 6.95, Section 25503.5 of the California Health and Safety Code. Section 25534 also requires handlers of acutely hazardous materials to submit a Risk Management and Prevention Program (RMPP), upon request, to the County.

With the continued use of gas chlorine, the City will soon be faced with additional reporting requirements which mandate public hearings, risk assessments, plume modeling of worst case scenarios, and risk prevention methods for reducing and/or eliminating the potential exposure to chlorine. One purpose of these requirements is to inform residents of what is "in their backyard" and how they would be impacted by an actual chlorine release.

These hazardous materials concerns have caused City staff to look at replacing the chlorine gas cylinders with a liquid chlorine generation system. This equipment uses salt to create liquid chlorine that is then injected directly into the pool water as it circulates. Using this system, low cost chlorine is generated and the need for storing this hazardous material is eliminated.

There are two vendors which manufacture this equipment. Pure Water Products, Inc. and Chemical Services Company.

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Their prices are competitive. City staff have visited other cities using liquid chlorination units and recommend that the City purchase the unit manufactured by Pure Water Products. Hutchins Street Square's pool is chlorinated by Pure Water Products' unit and City staff are already trained in the maintenance of the unit. The familiarity with the system will help reduce maintenance costs and training time.

Following discussion, the City Council, on motion of Council Member Snider, Sieglock second, approved the purchase of chlorine generator for Blakely/Enze Pool by the following vote:

Ayes: Council Members - Mann, Sieglock, Snider and Pennino (Mayor)

Noes: Council Members - Davenport

Absent: Council Members - None

REPLACEMENT OF PRESS BOX AT THE GRAPE BOWL,
221 LAWRENCE STREET, LODI APPROVED

CC-6 The City Council was reminded by Parks and Recreation
CC-27(c) Director Williamson that in December of 1990, the City had
CC-40 a fire at the Grape Bowl (Stadium) which destroyed the
CC-90 press box.

In conversation with the City Manager, it was his feeling that the replacement of the press box should be the responsibility of the School District and not the City. His reasoning was based on use and finances of the City. Mr. Williamson contacted the School District with this information and position and suggested a formation of a committee of interested people to see if we could build a new press box. They were not real excited about our thinking, but did feel a press box was still needed.

A committee was formed headed up by Jim Frost, (the then Principal at Lodi High School) and Pete Saco, Lodi High Athletic Director. The Committee received a very good turnout with a lot of enthusiasm. From that committee, plans were drawn and a financial plan was put into place. The financial plan was basically to secure donations and volunteers to build the facility. The "Everett Luiz Family" kicked off the drive with a \$5,000.00 donation in Everett's name. Various committee people went out and secured commitments for assistance (\$) and donations of goods, materials, or services.

We reached the point of being ready to go, with the exception that we felt we were \$20,000.00 light in our construction fund. Bill Meehleis, Meehleis Modular, came

to the forefront to volunteer to build the facility and use his contractor's license, etc. Additionally, the School District volunteered \$20,000.00 of construction dollars from a student body fund at the two high schools, with repayment coming from the annual Lodi/Tokay High School football games (special game assessments), until the loan is paid off.

Mr. Pete Saco, Athletic Director, was present and outlined the highlights of the press box history. He introduced Mr. Scott Dasko, Architect (who volunteered the plan work) to present the project, and Bill Meehleis, who talked about construction.

The target for construction would be to start this Spring and finish by mid-August, readying the press box for Fall football 1993.

Following discussion, the City Council, on motion of Council Member Davenport, Mann second, unanimously approved the replacement of press box at the Grape Bowl, 221 Lawrence Street, Lodi.

APPROVED ESTABLISHING A PERMIT FEE FOR
INDUSTRIAL WASTE HAULERS

RESOLUTION NO. 93-34

CC-54 City Attorney McNatt presented the following report.

CC-56

CC-300

The City Council was reminded that at the January 6, 1993 Council meeting, Ordinance 1561 was introduced. This ordinance brought into the City's exclusive franchise all collection of industrial waste. Prior to this time, the franchise involved only residential and commercial waste.

It is now necessary that the Council, by resolution, establish an annual permit fee for the hauling of such industrial waste. After consultation with the franchisee and various other persons and interests, it has been recommended that the annual permit fee be set in the amount of \$500.

Following discussion, the City Council, on motion of Council Member Mann, Snider second, adopted Resolution No. 93-34 entitled, "A Resolution of the Lodi City Council Establishing a Permit Fee for Industrial Waste Haulers" by the following vote:

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Ayes: Council Members - Mann, Sieglock, Snider and
Pennino (Mayor)

Noes: Council Members - Davenport

Absent: Council Members - None

GROUP 1 OF COUNTYWIDE IMPROVEMENT STANDARDS
ITEM CONTINUED

CC-6

The following report was presented by Public Works Director Ronsko.

The Countywide Improvement Standards Committee was formed by the Public Works Directors of the jurisdictions within San Joaquin County for the purpose of developing uniform improvement standards that would be used throughout San Joaquin County. The City of Lodi refers to these improvement standards as Standard Plans. The Committee started meeting in October 1991 and has held monthly meetings since that time. To date, the Committee has reviewed various types of curb, gutter and sidewalk details and driveway details.

The first group of Improvement Standards includes concrete construction notes, expansion joints, weakened plane joints and score lines, roll curb, gutter and sidewalk, and vertical curb, gutter and sidewalk and is now ready for adoption. The Committee solicited comments from engineers, contractors and concrete plants in the County; however, the response from the private sector was minimal. All comments were reviewed and were incorporated into the drawings where possible.

Adoption of these Standard Plans will benefit all communities as well as the building industry in that having a uniform set of standards within the County should have a positive effect on lowering construction costs. Contractors will know that the construction standards will be the same throughout the County and they will no longer need to check each jurisdiction's Standard Plans. The Countywide Improvement Standards will be drawn in a different format than Lodi's Standard Plans so that contractors will know the difference between the two.

The Committee is continuing to meet to prepare additional Standard Plans for countywide adoption.

It was recommended that the City Council adopt Group 1 of the Countywide Improvement Standards and authorize the Public Works Director to adopt and revise future Improvement Standards (Standard Plans).

Mr. Jeffrey Kirst, 109 River Meadows Drive, spoke regarding the matter and asked that this item be continued to the next meeting.

On motion of Council Member Sieglock, Snider second, the City Council unanimously continued the item regarding Group 1 of Countywide Improvement Standards to the meeting of March 17, 1993.

RESOLUTION ADOPTED IMPLEMENTING THE
PROVISIONS OF ORDINANCE NO. 1566
(COUNCIL PROCEDURES)

RESOLUTION NO. 93-35

CC-6
CC-300

City Attorney McNatt presented the following report.

At the February 17, 1993 meeting, the City Council introduced Ordinance 1566, updating and streamlining the City Council meeting procedures. As part of that Ordinance, the City Council has done away with Roberts Rules of Order as the foundational guideline for conduct of Council meetings. Roberts Rules are to be replaced by a shorter set of rules of debate.

Most current practices will not change. However, the Resolution shortens to 9 pages the same essential information which Roberts Rules covers in almost 200 pages. It cuts down the number of subsidiary or collateral motions which are allowed, clarifies the authority of the chair to make rulings and to expedite the business of the Council, and specifies abbreviated rules of appeal or reconsideration.

Another significant effect of this Resolution will be to prohibit the introduction of new business on the Council agenda after 11:00 p.m. without a 2/3 vote of the Council. Any business which remains on the agenda after 11:00 p.m. would be carried over to the next regular Council meeting unless an urgent need exists.

After discussion regarding the matter, the City Council, on motion of Council Member Mann, Snider second, adopted Resolution No. 93-35 entitled, "A Resolution of the Lodi City Council Adopting and Establishing Rules for the Conduct of its Meetings, Proceedings, and Business" by the following vote:

Ayes: Council Members - Mann, Sieglock, Snider and
Pennino (Mayor)

Noes: Council Members - Davenport

Absent: Council Members - None

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ORDINANCES

ORDINANCE REPEALING AND REENACTING IN ITS
ENTIRETY CHAPTER 2.04 - CITY COUNCIL
MEETINGS ADOPTED

ORDINANCE NO. 1566

CC-6
CC-149

Ordinance No. 1566 entitled, "An Ordinance of the City Council of the City of Lodi Repealing and Reenacting in its Entirety Chapter 2.04 - City Council Meetings" having been introduced at a regular meeting of the Lodi City Council held February 17, 1993 was brought up for passage on motion of Council Member Sieglock, Mann second. Second reading of the ordinance was omitted after reading by title, and the ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members - Davenport, Mann, Sieglock,
Snider and Pennino (Mayor)

Noes: Council Members - None

Absent: Council Members - None

MINUTES

CC-1(b)

The City Council, on motion of Council Member Davenport, Mann second, unanimously approved the following minutes subject to verification by the City Clerk of concerns brought up by Council Member Davenport:

- a) January 12, 1993 (Special "Town Hall" Meeting);
- b) January 13, 1993 (Special "Town Hall" Meeting); and
- c) January 20, 1993 (Regular Meeting).

SPECIFICATIONS AND ADVERTISEMENT FOR BIDS
FOR HIGH PRESSURE SODIUM LUMINAIRES
APPROVED

CC-12.1(b)

The Electric Utility Department has issued preliminary work orders to replace mercury vapor lights with the more efficient high pressure sodium luminaires.

Some of the areas where conversions will take place during this fiscal year are:

- ° Pioneer Drive/Sonora Drive/Calaveras Street area;
- ° Church Street/Kettleman Lane/Sacramento Street/Schlenker Drive;

- Crescent Avenue/Lockeford Street/Sunset Drive/Pine Street area;
- Pacific Avenue/W. Oak Street/W. Walnut Street/Wellington Way;
- Sunset Drive/Pine Street/Fairmont Avenue/Lodi Avenue area;
- West Walnut Street between Ham Lane and Hutchins Street;
- Mills Avenue/Vine Street/Downing Drive/Royal Crest Drive area.

A portion of the quantity purchased will be placed in inventory to support routine maintenance and replacement.

The City Council, on motion of Council Member Davenport, Pennino second, unanimously authorized advertisement for bids for the purchase of 155 high pressure sodium luminaires.

SPECIFICATIONS AND ADVERTISEMENT FOR BIDS
FOR TWO MID-SIZE PARATRANSIT BUSES
FOR DIAL-A-RIDE APPROVED

CC-12.1(b) The buses will be used daily for the Dial-A-Ride Program
CC-50(b) and in the future may be utilized when a fixed-route bus
 system is implemented. They will fully meet Americans With
 Disabilities Act (ADA) requirements and be equipped to
 accommodate two wheelchair passengers each.

The City Council, on motion of Council Member Davenport, Pennino second, unanimously approved the specifications for two mid-size paratransit buses and authorized advertisement for bids to be opened April 8, 1993 giving bidders 30 days to respond.

APPROVED RECLASSIFICATION OF ONE
ADMINISTRATIVE CLERK II POSITION TO AN
ADMINISTRATIVE CLERK III POSITION IN
THE PARKS AND RECREATION DEPARTMENT

RESOLUTION NO. 93-31

CC-34 A classification study was conducted on the Administrative
CC-300 Clerk II position in the Recreation Division of the Parks
 and Recreation Department.

Based on this analysis, it was determined that the incumbent is performing the duties of the higher level classification and is recommended for reclassification to Administrative Clerk III.

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The City Council, on motion of Council Member Davenport, Mann second, unanimously adopted Resolution No. 93-31 approving the reclassification of one Administrative Clerk II position to an Administrative Clerk III position in the Parks and Recreation Department.

APPROVED CONTRACT FOR EMPLOYEE ASSISTANCE PROGRAM

RESOLUTION NO. 93-36

CC-6 On December 16, 1992, a request for proposal was approved
CC-34 by the City Council to solicit bids for administering the
CC-90 Employee Assistance Program.
CC-300

The proposals were reviewed by an evaluation committee which subsequently interviewed and selected Options as the best alternative.

The City Council, on motion of Council Member Davenport, Mann second, unanimously adopted Resolution No. 93-36 approving the contract for administration of Employee Assistance Program with Options.

AUTHORIZATION TO INITIATE NEGOTIATIONS FOR
THE ACQUISITION OF PROPERTY FOR A FUTURE
ELECTRIC SUBSTATION APPROVED

CC-6 The Electric Utility Department's long-range planning has
CC-27(a) identified the need for a future electric distribution
CC-51(d) substation on the west side of the city, based on the growth and development patterns identified in the General Plan. The preferred location for this substation site is the area west of Lower Sacramento Road and south of Sargent Road (generally west of Raley's Supermarket). To accommodate the substation, a piece of property 300 feet by 300 feet (approximately 2.1 acres) will be required, as well as associated access road and easements for electric circuits into and out of the facility.

In order to secure this future electric facility, it is in the City's best interest to proceed with the property acquisition at this time, thus the above recommended action.

Following discussion, the City Council, on motion of Council Member Snider, Sieglock second, authorized the City staff to initiate negotiations with the property owner(s) for acquisition of property for a future electric substation by the following vote:

Ayes: Council Members - Mann, Sieglock, Snider and
Pennino (Mayor)

Noes: Council Members - Davenport

Ayes: Council Members - None

SET PUBLIC HEARING FOR MARCH 17, 1993 TO
CONSIDER REFUSE RATE ADJUSTMENTS

CC-22(b) Last year, Sanitary City Disposal Company presented the
CC-54 City Council with two options for rates for refuse
CC-56 collection. The first was a rate that would be effective
in October 1992 and would be in effect until April 1994.
The second was a two-tiered rate - one increase in October
1992 and another in 1993.

At that time, Council opted for the two-tiered rate so that
when the second increase would be put in place, we would be
dealing with actual numbers of customers and the type
service provided. Sanitary City Disposal then told us the
April 1993 increase could be as much as 31%.

The request is for a 19.5% increase in projected revenues,
either to be applied across the board, or placing a greater
burden on one segment of the community over another.

Staff received this request on Monday, February 22, 1993
and is in the process of reviewing the data and will have a
more complete analysis at the March 17, 1993 Council
meeting.

On motion of Council Member Davenport, Sieglock second, the
City Council unanimously set public hearing for March 17,
1993 to consider refuse rate adjustments.

SET PUBLIC HEARING FOR APRIL 7, 1993 TO
CONSIDER IMPLEMENTATION OF PLANNING FEE
SCHEDULE

CC-6 On motion of Council Member Davenport, Mann second, the
CC-56 City Council set a public hearing for April 7, 1993 to
consider implementation of planning fee schedule.

AUTHORIZED AN ADDITIONAL \$10,000 TO RETAIN
THE FIRM OF DUFOUR & ASSOCIATES FOR
DIBROMOCHLOROPROPANE (DBCP)

CC-6 As the Council is aware, since April 1992 we have been
CC-90 assisted in our attempts to comply with State and Federal
mandates regarding DBCP by the firm of Dufour and
Associates of Sacramento. Our previous estimates of cost
for Mr. Dufour's services were based on verbal
representations by the Drinking Water Division of the

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Department of Health Services suggesting they would cooperate on our proposed methods.

That cooperation did not happen. The City has been surprised twice by the Department of Health Services and the Federal Environmental Protection Agency by what appears to us to be reversals of position. This has necessitated further efforts to obtain relief from the requirements that the City immediately put granulated activated charcoal (GAC) filters on all City wells with DBCP levels in excess of the State standards. Dufour and Associates is well versed in dealing with these regulatory agencies.

Although the City Attorney dislikes the routine use of outside consultants, Mr. Dufour's unique experience and qualification makes him a valuable asset in this matter. It was requested that Council authorize an additional \$10,000 to keep Dufour and Associates on board for the present.

On motion of Council Member Davenport, Mann second, the City Council unanimously authorized an additional \$10,000 to retain the firm of Dufour & Associates for dibromochloropropane (DBCP).

URGENCY ITEM ADDED TO THE AGENDA REGARDING
SUPPLEMENTAL FEDERAL TRANSIT FUNDS

On motion of Council Member Mann, Pennino second, the City Council unanimously found that the circumstances surrounding placing item regarding "Supplemental Federal Transit Funds" on the agenda became known after the agenda for the meeting of March 3, 1993 was posted.

On motion of Council Member Mann, Pennino second, the City Council unanimously determined it would take action on the matter.

SUPPLEMENTAL FEDERAL TRANSIT FUNDS APPROVED

CC-50(a)

Assistant City Manager Glenn presented the following report.

On February 17, 1993, President Clinton announced his economic plan to stimulate the economy. Part of his economic stimulus proposal includes some \$15.7 billion in short term spending. Part of that \$15.7 billion is in transit capital grants. It is expected these funds will be used for bus and van purchases.

The emphasis on these projects is that they be ready to go, i.e., that contracts can be awarded or procurement actions taken within 60 days of enactment.

Our present Dial-A-Ride fleet has only 2 wheelchair-equipped vans. This is inadequate as our calls for service are increasing. We also are presently using three sedans which somewhat limits the number of passengers that can be carried. We also have two station wagons which are nearing the end of their expected life.

On Friday, February 26, 1993, the Assistant City Manager was asked by CALTRANS to submit a proposed supplemental funding request. He was asked to respond by March 2, 1993. Mr. Glenn sent the request to CALTRANS for 5 wheelchair-equipped mini-vans. The local share (20%) can be funded using TDA funds.

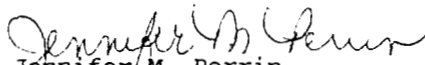
Council was requested to authorize requests for bids for 5 mini-vans with the understanding that purchase would not be made until the Federal funding became available.

The City Council, on motion of Council Member Sieglock, Mann second, unanimously authorized staff to request bids for five wheelchair equipped mini-vans for Dial-A-Ride.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Pennino adjourned the meeting at approximately 12:35 a.m.

ATTEST:


Jennifer M. Perrin
City Clerk